

CALIFORNIA COASTAL COMMISSION

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DATE: November 27, 2000

TO: Commissioners and Interested Parties

FROM: Steven F. Scholl, Deputy Director
Chris L. Kern, North Central Coast District Supervisor
Jane A. Steven, North Central Coast Planner

SUBJECT: **San Mateo County Implementation Plan Major Amendment No. 2-00**
Timber Harvest Buffer

Summary of Staff Report

Amendment Description

San Mateo County proposes to amend the implementation portion (IP) of its Local Coastal Program (LCP) to establish a 1,000-foot buffer zone between legal residences in existence as of June 18, 1991 and commercial timber harvest operations in two zoning districts in the coastal zone. The proposed amendment would amend Zoning Code Sections 6905 (Resource Management/Coastal Zone) and 6353 (Planned Agricultural District) to establish the timber harvest buffer provisions for these districts. The amendment also adds Section 6401.5 to the Zoning Code, which would allow the Planning Division to file notices as a condition of approval on the title of properties proposing new residential development on lands zoned RM/CZ and PAD. The notices would disclose to residential property owners in these two zoning districts that they may be subject to inconvenience or discomfort associated with timber harvest operations.

On June 19, 2000, the Executive Director determined the County's LCP amendment application to be complete in accordance with the Commission's regulations (14 CCR sections 13551 and 13552). In accordance with Coastal Act Section 30513, the LCP amendment must be scheduled for Commission review on or before August 18, 2000. Pursuant to Coastal Act Section 30517, the Commission may extend for good cause the 60-day time limit for action on an LCP implementation plan amendment for a period not to exceed one year. Because of an unusually large volume of work and recent staff turnover, the staff was not able to complete its review and prepare a recommendation for final Commission action on this LCP amendment application within the 60-day time period. Accordingly, on August 9, 2000 the Commission extended the time limit for action not to exceed one year. San Mateo County staff requested that this amendment be scheduled for public hearing during the Commission's December 2000 meeting in San Francisco in order to maximize local public participation.

Standard of Review

In order to approve the IP Amendment the Commission must determine that the proposed IP changes are consistent with and adequate to carry out the policies of the certified coastal land use plan (LUP).

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Staff Recommendation

Staff recommends that the Commission approve the proposed amendment establishing a 1,000-foot buffer zone between legal residences in existence as of 1991 and timber harvest operations in specified zones. The amendment would limit the locations of timber harvesting within 1,000 feet of established residences in existence as of June 18, 1991 in specified zones. The County ordinance was upheld by a California Appellate Court decision on the ordinance (Big Creek Lumber v. County of San Mateo (1995) 31 Cal. App. 4th 418). The proposed LCP amendment is consistent with and will further implement LUP resource protection policies.

Additional Information

If you have any questions or need additional information regarding the proposed amendment, please contact Jane Steven at (415) 904-5260.

Staff Recommendation: Motions and Resolutions

Motion

I move that the Commission reject Implementation Plan Amendment 2-00 to the County of San Mateo Implementation Plan as submitted by the County.

Staff Recommendation to Certify

Staff recommends a “NO” vote. Failure of this motion will result in certification of the Implementation program as submitted and the adoption of the following resolution and findings. The motion passes by an affirmative vote of a majority of the Commissioners present is needed to pass the motion.

Resolution

The Commission hereby approves Major Amendment No. 2-00 to the IP of the County of San Mateo and adopts the findings set forth below on the grounds that the IP amendment will meet the requirements and is adequate to carry out the provisions of the certified LUP. Certification of the IP amendment as suggested complies with the California Environmental Quality Act because the implementation plan amendment will not have a significant adverse effect on the environment and thus there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts which the IP may have on the environment.

Recommended Findings

1. Description and Background

San Mateo County is proposing to amend Section 6905(g) and Section 6353(B)(10) of the implementation portion (IP) of its Local Coastal Program (LCP) to establish a 1,000-foot buffer zone between legal residences in existence as of June 18, 1991 and commercial timber harvest operations in the Resource Management/Coastal Zone (RM/CZ) and Planned Agricultural District (PAD) (Exhibit 1). In addition, the amendment would add Section 6401.5 to allow the Planning Division to file notices as a condition of approval on the titles of properties proposing new residential development in the RM/CZ or PAD zones. These notices would disclose to residents adjacent to lands zoned RM/CZ and PAD that they may be subject to inconvenience or discomfort associated with timber harvest operations. Although the County amendment also affects lands zoned RM, these lands are outside the Coastal Zone. Only lands zoned RM/CZ and

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PAD are within the Coastal Zone. The proposed amendment would not create buffers in lands designated TPZ or TPZ/CZ where timber harvesting is recognized as the "best use". Adoption of this ordinance would create a 1,000-foot buffer only for residences in existence as of June 18, 1991, and not future developments.

There are approximately 73,000 acres of privately owned lands zoned RM, RM/CZ, and PAD. Of these, only about 11,000 acres are timbered (San Mateo County 1971). The total timber acreage in private ownership, including TPZ and TPZ/CZ zoned lands, is estimated to be approximately 35,000 acres. The proposed ordinance would not create buffers in lands designated TPZ or TPZ/CZ where timber harvesting is recognized as the "best use". The publicly-owned forestlands include State, Regional, and County Parks where there is no potential for commercial timber harvesting. **The cumulative impact of the ordinance would be to remove a total of 1,236 acres, or about four percent, of commercial timberland that can be harvested in the County** (excluding eucalyptus groves, which are not a species controlled for harvesting by CDF). Comparable data on the acreages within the Coastal Zone alone is not available.

Timber Harvesting in San Mateo County

In San Mateo County commercial timber harvesting is an allowed use in lands designated Timberland Preserve Zone (TPZ), Timberland Preserve Zone/Coastal Zone (TPZ/CZ), Resource Management (RM), Resource Management/Coastal Zone (RM/CZ), and Planned Agricultural District (PAD). Residential development is also an allowed use in these districts and in adjacent residential districts. Since 1983, under the Forest Practices Act, the California Department of Forestry and Fire Protection (CDF) has solely regulated timber operations, and, with limited exceptions, the County is pre-empted by State law from directly regulating the conduct of such operations. However, a 1995 California Appellate Court decision involving the proposed San Mateo County ordinance determined that while local governments cannot regulate the conduct of timber cutting operations, they can use their planning authority to determine where it may occur (Big Creek Lumber v. County of San Mateo (1995) 31 Cal. App. 4th 418) (Exhibit 2).

Conflicts between Commercial Timber Harvesting and Residential Uses

Over the years since permitting authority passed to the state, considerable controversy has arisen over the compatibility of timber harvesting adjacent to residential uses in the affected districts. The San Mateo County Board of Supervisors has found that commercial timber harvesting operations have the potential to cause a number of conflicts with existing residential uses. These predominantly involve complaints about noise associated with adjacent timber harvest operations, but also include complaints about windthrow¹; erosion, particularly in steep areas and areas near riparian corridors; and adverse impacts on wildlife and their habitat. Timber harvesting in the vicinity of residential structures also adversely impacts the scenic and aesthetic qualities of the viewshed.

In addition, in adopting the ordinance, the Board of Supervisors specifically declared that the conduct of timber operations within 200 feet of an existing residential structure constitutes a nuisance. The Board found that the absence of a buffer zone in current zoning regulations poses

¹ Windthrow is wind damage to trees, including uprooting resulting from timbering within forest stands.

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a real and imminent threat to the welfare of persons residing in the vicinity of proposed timber operations.

County's Adoption of the 1,000 Foot Buffer Ordinance

Neither the Forest Practices Act nor associated regulations establish a buffer zone between residential uses and timber harvesting. On June 18, 1991, in recognition of a threat of potential timber harvesting near residential areas, the San Mateo County Board of Supervisors adopted Interim Urgency Ordinance 3328 followed by Interim Ordinance 3332 to establish a 1,000 foot buffer zone between commercial timber harvesting operations and legal residential structures existing as of June 18, 1991 in areas zoned Resource Management (RM), Resource Management/Coastal Zone (RM/CZ), and Planned Agricultural District (PAD). On April 14, 1992 the County Board of Supervisors adopted Ordinance No. 3381 permanently establishing a 1,000-foot buffer zone.

Following the County's adoption of Ordinance 3381 the ordinance was immediately challenged by Big Creek Lumber Company, and was set aside by the Superior Court of San Mateo County. The County subsequently appealed the Superior Court's decision. In January 1995, the State Court of Appeals reversed the decision of the Superior Court reinstating Ordinance No. 3381 in its entirety. As of February 8, 1995, the ordinance went into effect in the County outside the coastal zone. However, pending Commission approval of this LCP amendment, the ordinance is not effective in the coastal zone for purposes of permitting coastal development under the certified LCP.

On June 30, 1997, the San Mateo County Farm Bureau requested the Board of Supervisors initiate an amendment to the provisions of Ordinance 3381 to exclude parcels with Williamson Act contracts.² On July 22, 1998 the San Mateo County Planning Commission considered the proposed amendment to exclude properties under the Williamson Act from the provisions of Ordinance 3381. The Planning Commission opposed the amendment because the proponents of the amendment failed to establish that excluding parcels with Williamson Act contracts would not adversely affect the existing legal residences protected under Ordinance 3381. The 1,000 foot buffer ordinance was implemented to protect such residences from the impacts of commercial timber harvesting. As a result of the Planning Commission's decision, no further action was taken by the Board of Supervisors to amend Ordinance 3381. On February 9, 1999 the Board of Supervisors adopted Resolution No. 62606 requesting the California Coastal Commission certify Ordinance No. 3381.

Exclusions to the 1,000 Foot Buffer Ordinance

Ordinance No. 3381 protects legal dwelling units in existence as of June 18, 1991 under the following circumstances:

² The Williamson Act allows lowered property taxes for land that is maintained in agriculture and certain open space uses. The landowner enters into a contract with the local government to restrict land uses to those that are compatible with agriculture, wildlife habitat, scenic corridors, recreational use, or open space. In return, the local authorities calculate the property tax assessment based on the actual use of the land instead of its potential value assuming full commercial development.

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1. Timber harvesting operations for which all permits had been received on or before June 18, 1991 may complete operations in accordance with the terms and conditions of such permits.
2. "A legal dwelling unit in existence" means that dwelling unit was built with all required permits, and a Certificate of Occupancy was issued on or before June 18, 1991.
3. If the legal dwelling unit was in existence on June 18, 1991 no timber harvesting may be conducted within 1,000 feet of the affected residence unless the owner of the affected residence agrees in writing that the harvesting may occur, and also records a statement, as described in proposed Section 6401.5 of San Mateo County Zoning Code which states:

This parcel is adjacent to lands zoned to allow timber harvesting as permitted by either the County of San Mateo or the California Department of Forestry and Fire Protection. Residents on this parcel may be subject to inconvenience or discomfort arising from timber harvesting operations, including but not limited to the felling of trees; noise from trucks, tractors, chain saws; dust; vibration; slash burning; and timber harvest road and bridge construction. San Mateo County has established that timber harvesting is an appropriate use on productive timberlands as a sustained yield management resource, and residents of adjacent property should be prepared to accept inconvenience or discomfort from normal, necessary timber harvesting operations.

If the legal dwelling was not a "legal dwelling unit in existence" on June 18, 1991, the 1,000-foot buffer zone does not apply, and timber harvesting may occur subject to the rules and regulations of the Forest Practices Act.

4. Normal forest maintenance may be conducted within the 1,000 foot buffer zone, but is limited to: (a) removing dead, dying, or diseased trees and snags; (b) salvaging downed wood; (c) cutting trees for the purposed of developing viewsheds or landscape aesthetics; or (d) clearing for firebreaks, in accordance with requirements of the County Fire Marshall or other applicable fire authority having jurisdiction.
5. Notwithstanding the above, access roads to the site of timber harvesting operations may be constructed, improved, and used within the 1,000 foot buffer zone. The limitation on harvesting within 1,000 feet on an existing dwelling shall not apply to a dwelling located on a parcel, which is proposed for timber harvesting. The distance from a dwelling shall be measured along the surface of the ground.

Notices to be Recorded on Title of Properties Proposing New Residential Development

Section 6401.5 of Ordinance 3381 requires notices to be recorded on parcel deeds to disclose to residential property owners that timber harvesting could take place on adjacent properties and of potential nuisances associated with those activities. From June 18, 1991 through February 8, 1995, the notice requirements of Section 6401.5 were not applied to residences that were constructed in areas zoned RM because the ordinance was overturned by the Superior Court. Notices under Section 6401.5 have been filed in the title as a condition of approval for residential dwellings proposed since February 8, 1995 in the RM district. Notices have not been recorded as a condition of development for residential dwelling units constructed in the Resource Management/Coastal Zone (RM/CZ) and Planned Agricultural District (PAD) since June 18, 1991. The provisions of the Ordinance 3381 in the Coastal Zone will: (1) apply to residential

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structures constructed before June 18, 1991 in the RM/CZ and PAD Zoning Districts, and (2) allow the Planning Division to file notices as a condition of approval, as described in Section 6401.5, on the title of properties proposing new residential development in the RM/CZ or PAD.

2. Analysis

Local Government Authority; Nuisances

In adopting the ordinance, the Board of Supervisors specifically declared that the conduct of timber operations within 200 feet of an existing residential structure constitutes a nuisance. The Board found that the absence of a buffer zone in current zoning regulations poses a real and imminent threat to the welfare of persons residing in the vicinity of proposed timber operations.

Section 30005 of the Coastal Act states in part:

No provision of this division is a limitation on any of the following:

(a) Except as otherwise limited by state law, on the power of a city or county or city and county to adopt and enforce additional regulations, not in conflict with this act, imposing further conditions, restrictions, or limitations with respect to any land or water use or other activity which might adversely affect the resources of the coastal zone.

(b) On the power of any city or county or city and county to declare, prohibit, and abate nuisances.

In accordance with Section 30005, the Commission must approve the IP amendment unless it is in conflict with the requirements of the Coastal Act.

Consistency with and Adequacy to Carry Out LUP

According to **LUP Policy 1.2** (Definition of Development) “timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practices Act of 1973” are not considered coastal development under the LCP. However, the location of timber harvesting operations is addressed in the certified land use plan. As mentioned previously, the certified LUP designates certain districts in which timber harvesting is a permitted use. These districts are in addition to timberland production zones. Pursuant to sections 30513-30514 of the Coastal Act, the Commission is required to review the proposed IP amendment to ensure it is consistent with and adequate to carry out the certified LUP.

By reducing areas where timber harvesting may occur in the Coastal Zone, the ordinance will protect coastal resources from potential impacts associated with timber harvesting, such as habitat loss, erosion and sedimentation, and degraded aesthetic qualities. Therefore, the proposed ordinance is consistent with and will further implement LUP resource protection policies. For example, LUP Policy 7.3 protects sensitive habitats. If there are any sensitive habitats, such as riparian corridors, wetlands, and endangered species habitat, within or adjacent to the proposed buffer areas, these habitats would be protected from adverse impacts associated with timber harvesting. The biologic productivity of sensitive habitats would be protected, for instance, by eliminating potential erosion that may be caused by the removal of trees and exposure of bare

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ground. Accordingly, water quality in adjacent riparian areas and waterbodies would be protected from the sedimentation that may result from erosion in logged areas. “Accelerated rates of erosion and sediment yield are a consequence of most forest management activities” (Forest Ecosystem Management Assessment Team 1993). Sedimentation of streams can result in increased turbidity, reduction in microhabitats for spawning fish, and changes in the diversity of invertebrates (Rosenberg and Weins 1978 as cited in H.T. Harvey and Associates 1999). “Timber harvesting and associated activities can alter the amount and timing of streamflow by changing onsite hydrologic processes” (Keppeler and Ziemer 1990; Wright et al. 1990).

The proposed buffer between residences and timber harvesting operations is consistent with visual resources policies of the LUP. For instance, LUP Policy 8.9 protects trees and acknowledges their importance in scenic areas. Areas where clearcutting timber harvest is practiced result in barren areas that are not aesthetically pleasing. In addition to trees contributing to scenic areas on their own, they also may screen less aesthetically pleasing structures or other human modifications to the landscape.

The establishment of buffer zones between timber harvesting areas and residential areas mirrors LCP Policies 5.15 (c), 5.8(a)(2), and 5.10(a)(3), which require that clearly defined buffer areas be provided between agricultural and non-agricultural uses. The proposed LCP amendment (Section 6401.5 of Ordinance No. 3381) requires the recordation of a warning regarding the nuisances and hazards of timber operations that is very similar to statement that must be recorded for parcels on or adjacent to agricultural land in LCP Policy 5.15. The proposed language for Section 6401.5 is cited above in Section 1, Description and Background.

Conclusion

The proposed 1,000 foot buffer zone between existing residences (as of June 18, 1991) and commercial timber harvest operations in areas zoned RM/CZ and PAD is consistent with and adequate to carry out the land use policies of the San Mateo County LUP. The proposed amendment would protect coastal resources, such as sensitive habitat, water quality, and visual resources and is therefore consistent with policies protecting these coastal resources. The proposed amendment is similar to existing LUP policies designed to reduce conflicts between agricultural operations and adjacent land uses. Therefore, the Commission finds San Mateo County LCP Amendment 2-00-Major is consistent with and is sufficient to implement the policies of the certified San Mateo County LUP.

The Commission also notes that the ordinance proposed for certification in the coastal zone is the same zoning ordinance specifically upheld by the First Appellate District in Big Creek Lumber v. County of San Mateo (1995) 31 Cal. App. 4th 418. As such, the proposed ordinance has already been found to be a proper exercise of zoning authority that is not preempted by the Forest Practices Act as the ordinance regulates the location rather than the conduct of timber harvesting.

California Environmental Quality Act

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a LCP. Instead, the CEQA responsibilities are assigned to the Coastal

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Commission. Additionally, the Commission's LCP review and approval procedures have been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP submitted to the Commission for review and approval. Nevertheless, the Commission is required when approving a LCP to find that the LCP does conform with the applicable provisions of CEQA.

At the time the Board of Supervisors adopted Ordinance No. 3381, the amendments to the Zoning Regulations were found to be Categorically Exempt from the California Environmental Quality Act under Class 8 - Actions by Regulatory Agencies for Protection of the Environment. Such actions include an action by an agency as authorized by local ordinance to assure the protection of the environment. Should a commercial timber harvest of any acreage be proposed on lands zoned RM/CZ or PAD that are affected by Ordinance No. 3381, a Timber Harvest Plan, which is the functional equivalent of the CEQA document, is required.

The Commission has considered the County's categorical exemption and all other evidence in the record, and concurs in their finding of no significant impacts with respect to its approval of Major Amendment No. 2-00. There is nothing in the record that indicates that the amendment would have a significant impact on the environment. In fact, the amendment will have a beneficial environmental effect by not allowing timber harvesting in some areas of the County. Accordingly, pursuant to Section 21080.5 of the Public Resources Code, the Commission concludes that the staff report and the Commission's adopted findings are adequate to meet the Commission's obligations under CEQA. The Commission also concludes that since the LCP amendment, as proposed, will not have a significant, adverse effect in the first instance, there are no feasible alternatives or feasible mitigation measures that would substantially lessen any significant, adverse effects on the environment.

Appendix A

Substantive File Documents

References

Forest Ecosystem Management Assessment Team. 1993. *Forest Ecosystem Management: An Ecological, Economic, and Social Assessment*.

H.T. Harvey & Associates, Stephen C. Rottenborn. 1999. Letter to California Coastal Commission regarding Santa Cruz County's proposed regulations on logging in riparian zones. July 14, 1999.

Keppler and Ziemer. 1990. *Forest Ecosystem Management: An Ecological, Economic, and Social Assessment*.

San Mateo County, Forest Resources Study Committee. 1971. Timber Harvest Report: Study of San Mateo County.

Wright et al. 1990. *Forest Ecosystem Management: An Ecological, Economic, and Social Assessment*.

Appendix B

Referenced Policies

San Mateo Local Coastal Plan Land Use Policies

1.2 Definition of Development

As stated in Section 30106 of the Coastal Act, define development to mean:

On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any buildings, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

1.18 Location of New Development

- *a. Direct new development to existing urban areas and rural service centers in order to: (1) discourage urban sprawl, (2) maximize the efficiency of public facilities, services, and utilities, (3) minimize energy consumption, (4) encourage the orderly formation and development of local governmental agencies, (5) protect and enhance the natural environment, and (6) revitalize existing developed areas.
- b. Concentrate new development in urban areas and rural service centers by requiring the "infilling" of existing residential subdivisions and commercial areas.
- c. Allow some future growth to develop at relatively high densities for affordable housing in areas where public facilities and services are or will be adequate and where coastal resources will not be endangered.
- d. Require the development of urban areas on lands designated as agriculture and sensitive habitats in conformance with Agriculture and Sensitive Habitats Component policies.

5.8 Conversion of Prime Agricultural Land Designated as Agriculture

- a. Prohibit conversion of prime agricultural land within a parcel to a conditionally permitted use unless it can be demonstrated: ...

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(2) Clearly defined buffer areas are provided between agricultural and non-agricultural uses...

5.8 Conversion of Land Suitable for Agriculture Designated as Agriculture

- a. Prohibit the conversion of lands suitable for agriculture within a parcel to conditionally permitted uses unless all of the following can be demonstrated: ...

(2) Clearly defined buffer areas are developed between agricultural and non-agricultural uses...

****5.15 Mitigation of Land Use Conflicts***

- a. When a parcel on or adjacent to prime agricultural land or other land suitable for agriculture is subdivided for non-agricultural uses, require that the following statement be included, as a condition of approval, on all parcel and final maps and in each parcel deed:

“This subdivision is adjacent to property utilized for agricultural purposes. Residents of the subdivision may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, including herbicides, pesticides, and fertilizers, and from the pursuit of agricultural operations, including plowing, spraying, pruning and harvesting, which occasionally generate dust, smoke, noise, and odor. San Mateo County has established agriculture as a priority use on productive agricultural lands, and residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.”

- b. Require the clustering of all non-agricultural development in locations most protective of existing or potential agricultural uses.
- c. Require that clearly defined buffer areas be provided between agricultural and non-agricultural uses.
- d. Require public agencies owning land next to agricultural operations to mitigate rodent, weed, insect, and disease infestation, if these problems have been identified by the County’s Agricultural Commissioner.

****7.3 Protection of Sensitive Habitats***

- a. Prohibit any land use or development which would have significant adverse impact on sensitive habitat areas.
- b. Development in areas adjacent to sensitive habitats shall be sited and designed to prevent impacts that could significantly degrade the sensitive habitats. All uses shall be compatible with the maintenance of biologic productivity of the habitats.

8.9 Trees

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- a. Locate and design new development to minimize tree removal.
- b. Employ the regulations of the Significant Tree Ordinance to protect significant trees (38 inches or more in circumference) which are located in urban areas zoned Design Review (DR).
- c. Employ the regulations of the Heritage Tree Ordinance to protect unique trees which meet specific size and locational requirements.
- d. Protect trees specifically selected for their visual prominence and their important scenic or scientific qualities.
- e. Prohibit the removal of trees in scenic corridors except by selective harvesting which protects the existing visual resource from harmful impacts or by other cutting methods necessary for development approved in compliance with LCP policies and for opening up the display of important views from public places, i.e., vista points, roadways, trails, etc.
- f. Prohibit the removal of living trees in the Coastal Zone with a trunk circumference of more than 55 inches measured 4 1/2 feet above the average surface of the ground, except as may be permitted for development under the regulations of the LCP, or permitted under the Timber
- g. Harvesting Ordinance, or for reason of danger to life or property.
- h. Allow the removal of trees which are a threat to public health, safety, and welfare.